



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

December 30, 1998

Mr. John Steiner
Division Chief
Legal Department
City of Austin
P.O. Box 1546
Austin, Texas 7867-1546

OR98-3258

Dear Mr. Steiner:

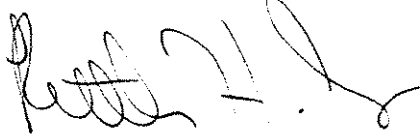
You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 120781.

The City of Austin received a request for "copies of the bid responses from solicitation No. PM98300006 covering temporary information technology staff." You ask if the bid responses at issue are confidential under sections 552.101 and 552.110 of the Government Code, but you do not take a position on whether the information at issue is excepted from disclosure. You informed this office that two companies submitted information in response to the solicitation: Business Control System and Ajilon Services, Inc. As provided by section 552.305 of the Open Records Act, this office provided these two companies the opportunity to submit reasons as to why their information should be withheld from disclosure. However, the companies did not submit any arguments to this office concerning why the information at issue should be withheld from disclosure. *See* Open Records Decision No. 363 (1983) (third party has duty to establish how and why exception protects particular information). Thus, as we have no basis on which to conclude that any of the information sought by the requestor is confidential, we conclude that the documents at issue must be released.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue

under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Ruth H. Soucy', with a stylized flourish at the end.

Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/rho

Ref: ID# 120781

Enclosures: Submitted documents

cc: Mr. Chip Sampson
COMSYS
8200 North Mopac, Suite 250
Austin, Texas 78759
(w/o enclosures)